

# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

1:12-cv-03366-LGS

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 18<sup>th</sup> day of December, two thousand and fourteen,

Capital One, National Association,

Plaintiff-Counter-Defendant - Appellee

v.

Marshall Weisman, 48-52 Franklin, LLC,

Defendants - Counter - Claimants - Appellees,

v.

Alan Plotch,

Appellant.

**ORDER**

Docket Number: 14-4438

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: February 11, 2015

A notice of appeal was filed on December 1, 2014. The Appellant's Acknowledgment and Appearance Form was due December 17, 2014 has not been filed. The case is deemed in default of FRAP 12(b), and LR 12.3.

IT IS HEREBY ORDERED that the appeal will be dismissed effective **January 8, 2015** if the Acknowledgment and Appearance Form is not filed by that date.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
Catherine O'Hagan Wolfe

  
Catherine O'Hagan Wolfe

MANDATE ISSUED ON 02/11/2015